

## Tennessee Bureau of Investigation Investigative Report

**Case #:** KX-82A-000029

**I.R. #:** 11

**Description:** Interview - Sworn Statement - Samuel Franklin - 07/19/04

**Office of Origin:** Knoxville

**Case Agent:** Morrell, Rick L

**SAC/ASAC:** Denney, Robert

### Narrative

(V) Lester Eugene Siler (W/M - [REDACTED])  
(V) Jenny Lynn Siler (W/F - [REDACTED])  
(S) Gerald David Webber, Jr. (W/M - [REDACTED])  
(S) Joshua James Monday (W/M - [REDACTED])  
(S) Samuel Reed Franklin (W/M - [REDACTED])  
(S) Shane Christopher Green (W/M - [REDACTED])  
(S) William Paul Carroll (W/M - [REDACTED])

Sworn statement of Samuel R. Franklin on 07-19-04, 6:00 pm

I Sammy Franklin was present at the arrest of Eugene Siler and his wife Jenny on July 8, 2004.

As previously stated in my first statement David Webber, Josh Monday, Will Carroll, Shane Green and I were the arresting officers. Eugene Siler is a dope dealer and David Webber asked me to go with him to arrest Eugene on a Violation of Probation warrant. We left the jail sometime after 1:30 pm and when we got there it was probably 2:00 pm approximately.

What was stated by me previously is true up to the point where we brought Eugene back to the house. I was still at the trailer with Ms. Siler and we did ask her to leave and take the child. Inside the trailer, all five of us officers were inside with Eugene. We sat Eugene down at the kitchen table and Eugene was handcuffed behind his back. David Webber and Josh Monday were doing most of the talking. While in the trailer I saw Josh Monday open hand slap Eugene and this was while we were trying to get Eugene to sign the search waiver. I had my back turned when I heard the first slap. I never threatened Eugene. David and Josh were doing the threatening. I unhandcuffed Eugene and cuffed him in front. I also got him a cigarette and asked Eugene again to sign the consent form. I also unhandcuffed Eugene to sign the form.

Eugene said he wanted to talk to David Webber and we continued to try to get the waiver signed.

I did not at any time strike or hit Eugene Siler. I did see Josh Monday slap open hand Eugene Siler on three different times while we had Eugene in the trailer. I saw either Shane, Will or David set the battery charger up on the table next to Eugene. David had threatened to hook Eugene up to the battery charger. About that time I went outside to talk to Jenny who

was standing at the edge of the road. Jenny went inside to talk to Eugene about the search waiver. When she came back out Jenny told me they are beating the hell out of Eugene. Jenny said they hooked jumper cables to Eugene and that she heard them pop. I told Jenny that they had not done that and that it was a bottle rocket that one of the officers lit and threw out the back door.

I can not explain why things went so bad on this arrest. I don't know if something happen when Shane and Josh actually caught Eugene.

When Eugene was sitting at the table in addition to the slaps, Josh Monday told Eugene to look at him and raised Eugene's head by putting one finger under Eugene's nose and raising Eugene's head.

I did not tell any of the officers to quit mistreating Eugene and I did not tell Josh Monday to back off.

As previously stated I did not see who hooked up Eugene to the battery cables. I was later told by David Webber or Will Carroll on the way back to the jail that Shane Green hooked Eugene to the battery charger.

Jenny told me that on a previous arrest, Randy Baird and Nathan Baldwin had beaten Eugene.

I did not hit Eugene Siler. I gave him a cigarette, blew his nose, and I filled out the consent.

x Samuel R. Franklin  
7-19-04

Descriptive data as previously noted.

RM:knh

Attachment: Sworn Statement-Samuel Franklin

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*This confidential document is the property of TBI.  
Its contents are not to be distributed outside of your agency.*

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TENNESSEE BUREAU OF INVESTIGATION  
Nashville, Tennessee

SWORN STATEMENT

Do you, Samuel R. Franklin, solemnly swear  
that the statement you are about to give is the truth, the whole truth, and nothing but  
the truth, so help you God?

ANSWER: I do SIGNATURE: [Signature]

This is a sworn statement of (NAME) Samuel R. Franklin,  
(SEX) M, (RACE) W, (AGE) 41, (DOB) [REDACTED],  
(ADDRESS) [REDACTED] Jacksboro, TN. 37757 [REDACTED],  
as given to Special Agent Rick Morrell,  
of the Tennessee Bureau of Investigation (TBI) on Monday 07-19-04,  
at 6:00 AM PM at the location of Drug Task Force Building  
Jacksboro, TN.

This sworn statement and oath taken under the authority of Tennessee Code An-  
notated 38-502.

[Signature]  
WITNESS

\_\_\_\_\_  
WITNESS

CASE # KX-82A-000029

To be accompanied by Affidavit

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RI # 11 (IR # 11)

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Sworn Statement of Samuel R. Franklin on 07-19-04, 6:00pm

~~SR~~ I Sammy Franklin was present at the arrest of Eugene Siler and his wife Jenny on July 8, 2004.

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What was stated by me previously is true up to the point where we brought Eugene back to the house. I was still at the trailer with Mrs. Siler and we did ask her to leave and take the child. Inside the trailer, all five of us ~~officers~~<sup>officer's</sup> were inside with Eugene. We sat Eugene down at the kitchen table and Eugene was handcuffed behind his back. David Webber and Josh Monday were doing most of the talking. While in the trailer I saw Josh Monday open hand slap Eugene and this was while we were trying to get Eugene to sign the search waiver. I had my back turned when I heard the first slap. I never threatened Eugene, David and Josh were doing the threatening. I unhandcuffed Eugene and cuffed him in front. I also got him a cigarette and ~~told~~<sup>asked</sup> Eugene ~~to~~<sup>SR</sup> again to sign the consent form. I also unhandcuffed Eugene to sign the form.

Eugene said he wanted to talk to David Webber and we continued to try to get the waiver signed.

I did not at any time strike or hit Eugene Siler. I did see Josh Monday slap open hand Eugene Siler on three different times while we had

~~See~~ the battery charger up on the table next to Eugene. David had threatened to hook Eugene up to the battery charger. About that time I went outside to talk to Jenny who was standing at the edge of the road. ~~Jenny went~~ <sup>later</sup> Jenny went inside to talk to Eugene about the search waiver. When she came back out Jenny told me they were beating the hell out of Eugene. Jenny said they hooked jumper cables to Eugene and that she heard them pop. I told Jenny that they had not done that and that it was a bottle rocket that one of the officers lit and threw out the back door.

I can not explain why things went so bad on this arrest. I don't know if something happen when Shane and Josh actually caught Eugene.

When Eugene was sitting at the table in addition to the slaps, Josh Monday told Eugene to look at him and raised Eugene's head by putting <sup>one finger</sup> ~~his hand~~ under Eugene's nose and raising Eugene's head.

I did not tell any of the officers to quit mistreating Eugene and I did not tell Josh Monday to back off.

As previously stated I did not see who hooked up Eugene to the battery cables. I was later told by David Wabber or Will Carroll on the way back to the jail that Shane Green hooked Eugene to the battery charger.

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I did not hit Eugene Siler. I gave him a cigarette, blew his nose, and I filled out the consent ~~See~~

*Samuel R. Smith*  
7-19-04

**TENNESSEE BUREAU OF INVESTIGATION  
Nashville, Tennessee**

**AFFIDAVIT**

I, Samuel R. Franklin, have read, or have had read to me, this sworn statement which begins on Page one (1) and ends on Page 4. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement.

I have made this statement freely without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

At the time of the making of this statement, I am not under the influence of alcohol, drugs, or any other type of intoxicant which would render me incapable of understanding the statement made by me.

SIGNATURE: *Samuel R. Franklin*

This statement sworn and subscribed before me this the 19<sup>th</sup> day of

July, 2004.

*R. McNeill*  
Special Agent  
TBI

Statement ending: DATE: 7-19-04

TIME: 6:55 AM (PM)

WITNESS: *Robert E. Jones*

WITNESS: \_\_\_\_\_